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Attn: Examiner Borin

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Attorney Docket No. 3477-91

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jeffrey L. Wrana
Serial No.: 09/744,167
Filed: September 20, 2001
For: **SARA PROTEINS**

Examiner: M. Borin
Art Unit: 1631
Confirmation No. 3921

Submission of:

- 1) **Response to Restriction Requirement (3 pages)**
- 2) **Petition and Fee for Extension of Time (2 pages)**

5 Pages + Fax Cover

Attorney Docket No. 3477-91

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA FACSIMILE ONLY: (703) 872-9306

Sir:

Applicants are responding to the Office Action dated May 18, 2004 issuing a Restriction under 35 U.S.C. § 121 and § 372. A Petition for Extension of Time is provided herewith.

The Office Action states that the response to restriction requirement filed March 15, 2004 is acknowledged, at which time applicants elected, with traverse, Group I (claims 1, 2, 4, 6, 7, 8, 11-14 and 16-18). The Office Action states that applicants' traverse with regard to lack of unity will be addressed in the first Office Action on the merits.

The Office Action goes on to state that, upon further consideration of the elected Group I, the following additional restriction of Group I is deemed necessary. Specifically, the Office Action states that the following inventions are not linked as to form a single general inventive concept under PCT Rule 13.1 and that applicants are required to elect a single invention to which the claims must be restricted.

I.1. Claims 1, 2, 4, 6-8, 12-14, 17, 18-3, drawn to nucleotide sequence encoding mammalian SARA protein.

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I.2 Claim 11, drawn to at least a 10-base polynucleotide fragment of SEQ ID NO:1 or 3.

I.3 Claim 12, drawn to a polynucleotide sequence encoding at least one functional domain of SARA.

The Office Action further states that if Groups I.1 or I.2 are elected, that a species election is required.

Applicants elect Group I.1 (claims 1, 2, 4, 6-8, 12-14, 17, 18-3), with traverse. Applicants note that although it was included as part of the original Group I, claim 16 is not recited in the present Office Action as a member of Group I.1 or of any other group and applicants request that claim 16 be included in Group I.1, as it depends from and recites a vector comprising the polynucleotide of several of the claims of this group.

Applicants further elect SEQ ID NO:1 as a species election, with traverse.

Applicants reiterate the traversal of the restriction of these claims for the same reasons presented in the previous response and respectfully request withdrawal of this restriction.

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This application is now in condition for substantive examination, which action is respectfully requested.

The Commissioner is authorized to charge Deposit Account 50-0220 in the amount of \$55.00 as the fee for a one month extension of time for a small entity. This amount is believed to be correct. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account 50-0220.

Respectfully submitted,

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